

## UNITED STATES DISTRICT COURT

## DISTRICT OF SOUTH DAKOTA

## WESTERN DIVISION

UNITED STATES OF AMERICA,	)	CR. 08-50090-AWB
	)	
Plaintiff,	)	
	)	
vs.	)	<b>ORDER GRANTING SECOND</b>
	)	<b>MOTION TO CONTINUE</b>
DALE YELLOW HORSE,	)	
	)	
Defendant.	)	

Defendant moves for a two-week continuance in the above-captioned case. Docket 19. Defendant seeks this continuance to provide additional time to complete plea negotiations. The Government does not oppose this motion. The Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendant in a speedy trial. Based on the foregoing, it is therefore

ORDERED that Defendant's motion is granted. The following deadlines shall apply:

Applications for Writ of Habeas Corpus Ad Testificandum	January 27, 2009
Other motions	February 3, 2009
Responses to motions due	Within five days after motion is filed
Subpoenas for trial	February 3, 2009
Plea agreement or petition to plead and statement of factual basis	February 3, 2009
Notify court of status of case	February 3, 2009

Motions in limine	February 10, 2009
Proposed jury instructions due	February 10, 2009
Jury trial	Tuesday, February 17, 2009, at 9 a.m.

The period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense must commence. 18 U.S.C. § 3161(h)(8)(A).

All other provisions of the court's standing order remain in effect unless specifically changed herein.

Dated January 26, 2009.

BY THE COURT:

/s/ Andrew W. Bogue

ANDREW W. BOGUE  
SENIOR DISTRICT JUDGE